MINUTES

OF THE

NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD

DATE: March 25, 2010

TIME: 9:00 a.m.

PLACE: Hampton Inn

Raleigh, North Carolina

SUBMITTED BY: Terry Wright

Director

MEMBERS PRESENT: MEMBERS ABSENT:

Brad Smith None

Doc Hoggard Mack Donaldson Courtney Brown Larry McClellan Johnny Phillips Richard Lee

STAFF PRESENT:

Director Terry Wright

Deputy Director Anthony Bonapart

Board Secretary Nan Williams

Attorney Charles McDarris

Investigator Phillip Stephenson

VISITORS:

Brittany Herman Renee Marshall
Tena N. Brantley Ray Epperly
Michael Honeycutt David Morgan
Ray Naylor David Raff

Shannah Wickers Avner M. Pecker Teresa Parker Grover Barfield Holly Kirwin Lance Chavez

Homer Weaver
Tony Balleu
Duncan Hubbard
Larry McClellan
Brad Smith
Greg McKee
Ed Pait
William Funk
Scott Salyers
Brandon Perry
Joel Ackereizeh
William A. Edmund
Charles K. Hatcher
Mark Dillon

Charles K. Hatcher

Robert Lucas

Rockie Goeller

Rick Strickland

Dan O'Sullivan

Travis Johnson

Richard O'Neal

Wood Freeman

John McDonald

Mark Dillon

Rockie Goeller

Terry Preiss

Dan Comfort

Billy Guttenberger

Walter Stanley

Blake Hendrickson

Levern Gordon

CALL TO ORDER

The March 25, 2010 meeting of the North Carolina Alarm Systems Licensing Board was called to order by Chairman Smith at 9:00 a.m.

In accordance with the State Ethics Law, Attorney Charles McDarris read the following information. "It is the duty of every Board member to avoid both conflicts of interest and appearances of conflict. If any member has any known conflict of interest or appearance of conflict with respect to any matters coming to this Board today, please identify the conflict or appearance of conflict and refrain from any deliberation and vote in that particular matter."

Mr. Smith welcome guests.

MR. PHILLIPS MADE A MOTION TO APPROVE THE MINUTES OF THE JANUARY 14, 2010 BOARD MEETING AND THE MINUTES OF THE MARCH 5, 2010 SPECIAL MEETING. SECONDED BY MR. HOGGARD. MOTION CARRIED.

MR. HOGGARD MADE A MOTION TO APPROVE THE SCREENING COMMITTEE REPORT WITH THE EXCEPTION OF NUMBER 9. SECONDED BYMR. DONALDSON. MOTION CARRIED.

MR. PHILLIPS MADE A MOTION TO APPROVE NUMBER 9. SECONDED BY MR. BROWN. MOTION CARRIED. MR. SMITH RECUSED HIMSELF FROM VOTING ON NUMBER 9.

MR. BROWN MADE A MOTION TO APPROVE THE REGISTRATION REPORT AS PRESENTED. SECONDED BY MR. HOGGARD. MOTION CARRIED.

Mr. Smithreported that he and Mr. Phillips met as the Grievance Committee on March 24, 2010 from 2:20 p.m. until 5:30 p.m. The following individuals were present: Mr. Jon A. Felton, Mr. Ken Brown, Mr. Danny Storie, Mr. Roger Waynick, Mr. Lee Hill, Mr. Jerry Creech, Mr. Ralph Gregory, Mr. Joel Garrett, Mr. Davie Brinson, Mr. Chee Ho Thi, Mr. Samuel Kamunya, and Mr. Berry Brown.

MR. BROWN MADE A MOTION TO APPROVE THE GRIEVANCE COMMITTEE REPORTWITH THE EXCEPTION OF CASE NUMBER 2009-ASL-034. MR. MCCLELLAN RECUSED HIMSELF FROM HEARING THIS CASE. SECONDED BY MR. DONALDSON. MOTION CARRIED.

MR. PHILLIPS MADE A MOTION TO APPROVE CASE NUMBER 2009-ASL-034. MR. MCCLELLAN RECUSED HIMSELF FROM VOTING ON THIS CASE. SECONDED BY MR. HOGGARD. MOTION CARRIED.

Mr. McDarris removed himself as counsel to the Board to present the following final agency decisions:

DAVID MICHAEL HONEYCUTT - 09 DOJ 3788. This case was heard by Administrative Law Judge Temporary Eugene J. Cella on October 27, 2009. The issue before the Judge was the denial of an alarm registration permit for lack of good moral character and temperate habits. Mr. Honeycutt was present.

MR. PHILLIPS MADE A MOTION TO REVERSE THE BOARD'S INITIAL DECISION TO DENY THE REGISTRATION PERMIT AND APPROVE THE REGISTRATION PERMIT FOR MR. HONEYCUTT. SECONDED BY MR. HOGGARD. MOTION CARRIED.

ALLEN LEROY CAVE, JR. - 09 DOJ 3835. This case was heard by Temporary Administrative Law Judge Eugene J. Cella on October 27, 2009. The issue before the Judge was the denial of an alarm registration permit for lack of good moral character and temperate habits. Mr. Cave was not present but his employer, Mr. Gregory Sawyer, was present and addressed the Board.

MR. PHILLIPS MADE A MOTION TO DEFER THIS CASE UNTIL THE MAY 13, 2010 BOARD MEETING AND FOR MR. CAVE TO APPEAR. SECONDED BY MR. DONALDSON. MOTION CARRIED.

WILLIE HORNE - 09 DOJ 5065. This case was heard by Administrative Law Judge Donald Overby on December 15, 2009. The issue before the Judge was the denial of an alarm registration permit for lack of good moral character and temperate habits. Mr. Horne was not present.

MR. PHILLIPS MADE A MOTION TO UPHOLD THE BOARD'S INITIAL DECISION TO

DENY THE REGISTRATION PERMIT. SECONDED BY MR. BROWN. MOTION CARRIED.

JEREMY MASON WHITFIELD - 09 DOJ 5442. This case was heard by Administrative Law Judge Eugene J. Cella on October 27, 2009. The issue before the Judge was the denial of an alarm registration permit for lack of good moral character and temperate habits. Mr. Whitfield was not present but his employer, Mr. Ray Epperly stated that Mr. Whitfield no longer worked for him.

MR. HOGGARD MADE A MOTION TO UPHOLD THE BOARD'S INITIAL DECISION TO DENY THE REGISTRATION PERMIT. SECONDED BY MR. MCCLELLAN. MOTION CARRIED.

BREAK: 10:00 a.m.

RECONVENED: 10:20 a.m.

SPECIAL REPORTS AND PRESENTATIONS

Mr. Smith presented the Continuing Education Sub-committee report.

- 1. Compass 2.0 The committee recommends approval of 2 CEU's for this course.
- 2. 6272 The committee recommends approval of 2 CEU's for this course.
- 3. GSM Communications-(ASLB-06-230) The committee recommends renewal of 4 CEU's for this course.
- 4. Vista-32FB (ASLB-02-115) The committee recommends renewal of 2 CEU's for this course.
- 5. Vista-20P (ASLB-02-097) The committee recommends renewal of 4 CEU's for this course.
- 6. Vista-15P (ASLB-02-095) The committee recommends renewal of 4 CEU's for this course.
- 7. VistaKey (ASLB-02-091) The committee recommends renewal of 4 CEU's for this course.
- 8. 5800 Wireless (ASLB-02-089) The committee recommends renewal of 2 CEU's for this course.
- 9. Relays & X-10 (ASLB-02-087 The committee recommends renewal of 1 CEU for this course.
- 10. FA-148CP (ASLB-02-113) The committee recommends renewal of 2 CEU's for this course.
- 11. FA-148CP (ASLB-02-114) The committee recommends renewal of 2 CEU's for this course.
- 12. Burglar Alarm Basics (ASLB-02-084) The committee recommends renewal of 2 CEU's for this course.
- 13. Compass (ASLB-02-088) The committee recommends renewal of 4 CEU's for this course.
- 14. An IP Guide for Elk Control Systems The committee recommends approval of 2 CEU's for this course.
- 15. Technical Advances in Long Range Radio/Long Course (ASLB-02-076) The committee recommends renewal of 3 CEU's for this course.
- 16. Networking the Alarm Industry/Long Course (ASLB-02-109) The committee recommends renewal of 3 CEU's for this course.

17. Access Control Essentials - The committee recommends approval of 2 CEU's for this course.

MR. PHILLIPS MADE A MOTION TO APPROVE ALL COURSES EXCEPT #15 AND #16. MR. BROWN RECUSED HIMSELF FROM VOTING ON COURSES #15 and #16. SECONDED BY MR. HOGGARD. MOTION CARRIED.

MR. LEE MADE A MOTION TO APPROVE #15 AND #16. SECONDED BY MR. HOGGARD. MR. BROWN RECUSED HIMSELF FROM VOTING ON COURSES #15 and #16. MOTION CARRIED.

The Board recognized Ms. Rockie Goeller for her many years of service to the alarm industry and thanked her for her attendance at the meetings throughout the years.

UNFINISHED BUSINESS

None

OLD BUSINESS

Mr. Brown stated he will update the Board at the May meeting regarding the by-laws.

DIRECTOR'S REPORT

Mr. Wright presented the written report and advised that as of February 1, 2010, the combined budget balance was \$271,037.22. The Education Fund balance was \$39,128.35. As of March 23, 2010, the Board has 897 licensees and 4,721 registrants.

MR. HOGGARD MADE A MOTION TO ACCEPT THE DIRECTOR'S REPORT AS PRESENTED. SECONDED BY MR. PHILLIPS. MOTION CARRIED.

Mr. Wright provided the Board with an update of the PPS/ASL budget. As of January 31, 2010, the combined budget balance is \$271,037.22. During the past several months, there has been a decrease in applications for licensing and registration. On the PPS Board, new registrations are down 27.5% and new licenses are down 11.5%. PPS renewals are down 227% mostly because the licensing period changed from one year licensing period to a two year licensing period. On the Alarm Board, new registrations are down .5% and new licenses increased to 10.35%. Registration renewals increased by 65%. Mr. Wright stated that the new fee increases for alarm registration fees and alarm license fees will be effective March 1, 2010.

Mr. Wright stated that applicants applying for a burglar alarm license and providing their own credit check will save approximately \$6.00 per applicant and a savings of approximately \$250.00 per month. Mr. Wright asked the Board to adopt a rule that applicants applying for a burglar alarm license must submit a

credit check from Equifax and the credit check must be received within 30 days of being ran.

MR. PHILLIPS MADE A MOTION TO BEGIN THE RULES PROCESS TO INCLUDE A RULE THAT ALL NEW LICENSING APPLICANTS MUST PROVIDE A CREDIT CHECK FROM EQUIFAX TO BE RECEIVED WITHIN 30 DAYS OF THE REPORT BEING RAN. SECONDED BY MR. HOGGARD. MOTION CARRIED.

ATTORNEY'S REPORT

Mr. McDarris reported on the following consent agreements:

- 1. Michael Littleton \$1948.40 4 equal payments of \$489.60 and has been paid in full.
- 2. Michael Robertson \$2856.00 paid in full.
- 3. Jason Scheewe \$2856.00 Mr. Scheewe has not paid the consent and he was to take the Level I Course and obtain a NC Electrical License before license was issued. His ninety days has expired for him to obtain his license.
- 4. Linsey Ayers \$1428.00 2 equal payments of \$714.00 must be paid before the license is issued. Mr. Ayers did not pay and his ninety days has expired for him to obtain his license.
- 5. Corneilus Williams \$6038.30 has been paid in full.

The list of administrative hearings were given to the Board.

RULES

- 1. 12 NCAC 11 .0203 Proposed fee increase for licensing from \$350.00 to \$375.00 was approved by the RRC.
- 2. 12 NCAC 11 .0302(a)(1) Proposed fee increases for registration from \$40.00 to \$45.00 was approved by the RRC.
- 3 12 NCAC 11 .0302(a)(4) Proposed reconsideration fee of \$10.00 for each registration that has been submitted but returned to the licensee for correctable errors was approved by the RRC.
- 4. 12 NCAC 11 .0302 late renewal fee of \$20.00 has been filed with the RRC with a proposed effective date of May 1, 2010.
- 5. 12 NCAC 11 .0204 License renewal for military personnel is before the Board for adoption.
- 6. 12 NCAC 11 .0306 Registration renewal for military personnel is before the Board for adoption.
- 7. 12 NCAC 11 .0503 Rule to address online courses is before the Board for adoption.
- 8. Rule to limit use of unlicensed activity for basis of experience requirements has been filed with the Rules Division of OAH.

MR. HOGGARD MADE A MOTION TO ADOPT THE FOLLOWING RULES: 12 NCAC 11 .0204 AND 12 NCAC 11 .0306. SECONDED BY MR. PHILLIPS. MOTION CARRIED.

MR. DONALDSON MADE A MOTION TO ADOPT THE FOLLOWING RULE: 12 NCAC 11 .0503. SECONDED BY MR. HOGGARD. MOTION CARRIED.

MR. DONALDSON MADE A MOTION TO APPROVE THE ATTORNEYS REPORT. SECONDED BY MR. LEE. MOTION CARRIED.

MR. HOGGARD MADE A MOTION TO GO INTO CLOSED SESSION TO DISCUSS THE THIRD PARTY CRIMINAL RECORD CHECK BID APPOINTMENT PURSUANT TO 143.318.11(a)(6). SECONDED BY MR. PHILLIPS. MOTION CARRIED.

CLOSED SESSION: 10:50 a.m. RECONVENED: 11:10 a.m.

Mr. Smith advised that the Board discussed a provider for third party out of state vendors to conduct online criminal history checks. One company will be appointed to provide this service. Mr. Smith stated that the company will have the capability to conduct in-state or out -of -state online criminal history checks.

MR. HOGGARD MADE A MOTION TO APPOINT A SOLE SOURCE THIRD PARTY OUT OF STATE VENDOR TO CONDUCT ONLINE CRIMINAL HISTORY CHECKS. SECONDED BY MR BROWN. MOTION CARRIED.

The Board discussed an email in regard to a project at the University of North Carolina Wilmington. Mr. McDarris stated that if the bid request was for a camera system only, then only a licensed individual with the Alarm Board should bid on this project. If the primary bid request is for electrical work with a minority of the job being the installation of security cameras, then the electrical licensee can bid the project as long as he subcontracts the security camera portion to a licensed alarm company.

MR. PHILLIPS MADE A MOTION FOR THE STAFF TO REVIEW PAST MINUTES TO DETERMINE WHAT THE BOARD HAS VOTED ON IN THE PAST REGARDING SIMILAR ISSUES AND DEFER THIS MATTER UNTIL THE MAY BOARD MEETING. SECONDED BY MR. SMITH. MOTION CARRIED.

GOOD OF THE ORDER

MR. BROWN MADE A MOTION TO ADJOURN. SECONDED BY MR. PHILLIPS. MOTION CARRIED.

| Terry Wright | |
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| Director | |
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| Nan Williams | |